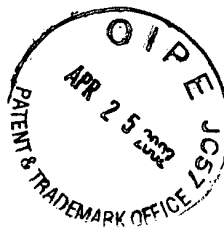


REV. 09/01
For Other Than A Small Entity



18

Attorney Docket No. CO14CIP/DIV2/US

RECEIVED

NOTICE OF APPEAL FROM THE
PRIMARY EXAMINER TO THE BOARD OF APPEALS

APR 29 2002

TECH CENTER 1600/2900

In re application of: Michael J. Yellin et al.
Application No. : 09/342,314 Confirmation No.: 6376
Filed : June 29, 1999
For : THERAPEUTIC APPLICATIONS FOR THE
ANTI-T-BAM (CD40-L) MONOCLONAL
ANTIBODY 5C8
Group Art Unit : 1644
Examiner : Phillip Gambel

New York, New York
April 19, 2002

Hon. Commissioner for Patents
BOX AF
P.O. Box 2327
Arlington, Virginia 22202

NOTICE OF APPEAL

Sir:

Applicant(s) hereby appeals to the Board of Appeals from the decision of the Primary Examiner mailed October 23, 2001 in which the rejection of claims 1,103-108, 112-127, 130-131 was made final.

[] Applicant(s) respectfully requests an oral hearing before the Board of Appeals. The appropriate fee is submitted herewith.

[] The appropriate fee for a _____-month extension of time to respond to the final rejection was timely paid on _____

[X] A three-month extension of time to respond to the final rejection is requested and the appropriate extension fee is submitted herewith.

[X] Address all correspondence to:

Margaret A. Pierri, Esq
Reg. No. 30,709
FISH & NEAVE
1251 Avenue of the Americas
New York, New York 10020-1105
Tel.: (212) 596-9000

[X] A check in the amount of [X] \$320.00 [] \$600.00 in payment of the [X] appeal fee, [] appeal and oral hearing fees, is enclosed.

[X] The Director is hereby authorized to charge payment of any additional appeal fee, oral hearing fee, or both, or credit any overpayment of same, to Deposit Account No. 06-1075. A duplicate copy of this Notice of Appeal form is enclosed.

[] Please charge [] \$320.00 [] \$600.00 to Deposit Account No. 06-1075 in payment of the [] appeal fee; [] appeal and oral hearing fees. A duplicate copy of this Notice of Appeal form is enclosed.

EXTENSION FEE

[X] The following extension fee is applicable to the Notice of Appeal filed herewith; [] \$110.00 extension fee for response within first month pursuant to 37 C.F.R. § 1.136(a); [] \$400.00 extension fee for response within second month pursuant to 37 C.F.R. § 1.136(a); [X] \$920.00 extension fee for response within third month pursuant to 37 C.F.R. § 1.136(a); [] \$1,440.00 extension fee for response within fourth month pursuant to 37 C.F.R. § 1.136(a); [] \$1,960.00 extension fee for fifth month pursuant to 37 C.F.R. 1.136(a).

[X] A check in the amount of [] \$110.00; [] \$400.00; [X] \$920.00; [] \$1,440.00; [] \$1,960.00; in payment of the extension fee is transmitted herewith.

[X] The Director is hereby authorized to charge payment of any additional fee required under 37 C.F.R. § 1.17, or to credit any overpayment of same, to

Deposit Account No. 06-1075. A duplicate copy of this Notice of Appeal form is enclosed.

[] Please charge the [] \$110.00; [] \$400.00;
[] \$920.00; [] \$1,440.00; [] \$1,960.00; extension
fee to Deposit Account No. 06-1075. A duplicate
copy of this Notice of Appeal form is enclosed.

James F. Haley, Jr.
James F. Haley, Jr. (Reg. No. 27,794)
Margaret A. Pierri (Reg. No. 30,709)
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I Heroby Certify that this
Correspondence is being
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COMMISSIONER FOR
REVENUE
P.O. Box 2327
ALBANY, N.Y. 12202-0227

April 19, 2002
Chaired J. Saintil
[Signature]
Signature of Person Signing